

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.14605 of 2005

23.8.2005

Between:

M/s.Rajagopal Educational Trust, rep. By its Managing Trustee,
R.Srihari, Katpadi Road, Gudiyattam, Vellore District, Tamil Nadu.

... Petitioner

AND

1. State Transport Authority, represented by its Secretary, Hyderabad

and another

... Respondents

ORDER:

The petitioner is a bus operator, who holds stage carriage permit on the route Ambalur to Sayanagunda in Tamilnadu. Subsequently, the permit was extended from Ambalur to other places in Palamaner in Andhra Pradesh. Therefore, the petitioner allegedly submitted an application for counter signature under Section 88 of Motor Vehicles Act, 1988 (the Act, for brevity). The same is registered as R.No.8337/B4/2003 dated 09.7.2003. It is the case of the petitioner that the same was not considered by the first respondent. Be that as it is, the petitioner again submitted another application in June 2005, which was registered as R.No.5745/B3/2005 dated 05.6.2005. The petitioner alleges that both these applications are not disposed of by the first respondent so far.

When the matter is called, the learned Assistant Government Pleader for Transport, Roads & Buildings submits that the petitioner's applications were called on 01.8.2005 and 18.8.2005, the petitioner was not ready and therefore, the matter now stands posted to 03.9.2005. In view of this, the writ petition is disposed of directing the first respondent to pass appropriate orders on two applications filed by the petitioner for counter signature under Section 88 of the Act. It shall be open to the first respondent to even pass *ex parte* orders if the petitioner is not present when the case is called.

The writ petition, with the above observations and directions, is disposed of. No costs.

(V.V.S. RAO,J)

August 23, 2005

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